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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

CENTER FOR BIOLOGICAL DIVERSITY,
KENTUCKY ENVIRONMENTAL
FOUNDATION, and SIERRA CLUB,

Plaintiffs,

V.

RURAL UTILITIES SERVICE, a federal agency within the United States Department of Agriculture,

Defendant.

Civ. No. 08-cv-1240-EMC

DEFENDANT'S NOTICE OF APPEARANCE

PLEASE TAKE NOTICE that the undersigned enters a special appearance as counsel for Defendant Rural Utilities Service for the purpose of receiving prompt notice of any filings and orders issued in this case, pending a formal appearance via pleadings by Defendant. This special appearance is expressly made without waiving any jurisdictional, venue or other defense. Service of all papers by United States mail should be made to the following address:

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1 All hand or overnight deliveries upon counsel should be made to the following street address:

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9 The undersigned counsel can be reached by telephone at (202) 305-0639, by facsimile at (202) 305-0506,
10 and by e-mail at brian.toth@usdoj.gov.

11 Dated: April 11, 2008

Respectfully submitted,

12 RONALD J. TENPAS
13 Assistant Attorney General
14 Environment and Natural Resources Division

15 /s/ Brian C. Toth
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28

CERTIFICATE OF SERVICE

I hereby certify that on April 11, 2008, I electronically filed the foregoing DEFENDANT'S NOTICE OF APPEARANCE with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

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Dated: April 11, 2008

/s/ Brian C. Toth
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